

05-18-06

I FWF  
PTO/SB/21 (04-04)

Approved for use through 07/31/2006. OMB 0651-0031  
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

## TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

		Application Number	10/619,233
		Filing Date	July 14, 2003
		First Named Inventor	Daniel R. Smith
		Art Unit	2855
		Examiner Name	Octavia Davis
Total Number of Pages in This Submission		Attorney Docket Number	0275G-000763

### ENCLOSURES (check all that apply)

<input checked="" type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to Technology Center (TC)
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input checked="" type="checkbox"/> Amendment / Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Terminal Disclaimer	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Request for Refund	<input type="checkbox"/> postcard
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> CD, Number of CD(s) _____	
<input type="checkbox"/> Certified Copy of Priority Document(s)		
<input type="checkbox"/> Response to Missing Parts/ Incomplete Application		
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		

Remarks

### SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	Harness, Dickey & Pierce, P.L.C.	Attorney Name Christopher A. Eusebi	Reg. No. 44,672
Signature			
Date	May 17, 2005		

### CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

Typed or printed name	Christopher A. Eusebi	Express Mail Label No.	EV 406 076 079 US (5/17/2005)
Signature		Date	May 17, 2005

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

E V 4 0 6 0 7 6 0 7 9 U S

MAY 17 2005  
PATENT & TRADEMARK OFFICE  
U.S. DEPARTMENT OF COMMERCE  
OPIE JC

# FEE TRANSMITTAL for FY 2005

*Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.*

Applicant claims small entity status. See 37 CFR 1.27

<b>TOTAL AMOUNT OF PAYMENT</b>	<b>(\\$) 200</b>
--------------------------------	------------------

*Complete if Known*

Application Number	10/619,233
Filing Date	July 14, 2003
First Named Inventor	Daniel R. Smith
Examiner Name	Octavia Davis
Art Unit	2855
Attorney Docket No.	0275G-000763

**METHOD OF PAYMENT (check all that apply)**

Check  Credit card  Money  Other  None  
Order

Deposit Account:

Deposit Account Number

Deposit Account Name

**The Director is authorized to: (check all that apply)**

Charge fee(s) indicated below  Credit any overpayments  
 Charge any additional fee(s) or any underpayment of fees under 37 CFR 1.16 and 1.17  
 Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

**FEE CALCULATION**

**1. BASIC FILING FEE**

Large Entity	Small Entity	Fee Description	Fee Paid
Fee Code	Fee Code	Fee (\$)	Fee (\$)
1001	2001	790	395
1002	2002	350	175
1003	2003	550	275
1004	2004	790	395
1005	2005	160	80
<b>SUBTOTAL (1)</b>		<b>(\\$) 0</b>	

**2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE**

Total Claims	Independent Claims	Multiple Dependent	Extra Claims	Fee from below	Fee Paid
9	4		-20 **	= 0	X 0 = 0
			-3 **	= 1	X 200 = 200
					X 0 = 0

**Large Entity**

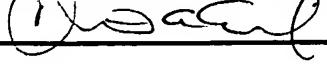
Large Entity	Small Entity	Fee Description
Fee Code	Fee Code	Fee (\$)
1202	2202	50 25
1201	2201	200 100
1203	2203	360 180
1204	2204	200 100
1205	2205	50 25
<b>SUBTOTAL (2)</b>		<b>(\\$) 200</b>

*\*\*or number previously paid, if greater; For Reissues, see above*

**3. ADDITIONAL FEES**

Large Entity	Small Entity	Fee Description	Fee Paid
Fee Code	Fee Code	Fee (\$)	Fee (\$)
1051	2051	130 65	Surcharge - late filing fee or oath
1052	2052	50 25	Surcharge - late provisional filing fee or cover sheet
1053	1053	130 130	Non-English specification
1812	1812	2,520 2,520	For filing a request for <i>ex parte</i> reexamination
1804	1804	920* 920*	Requesting publication of SIR prior to Examiner action
1805	1805	1,840* 1,840*	Requesting publication of SIR after Examiner action
1251	2251	120 60	Extension for reply within first month
1252	2252	450 225	Extension for reply within second month
1253	2253	1020 510	Extension for reply within third month
1254	2254	1590 795	Extension for reply within fourth month
1255	2255	2160 1080	Extension for reply within fifth month
1401	2401	500 250	Notice of Appeal
1402	2402	500 250	Filing a brief in support of an appeal
1403	2403	1000 500	Request for oral hearing
1451	1451	1,510 1,510	Petition to institute a public use proceeding
1452	2452	500 250	Petition to revive – unavoidable
1453	2453	1500 750	Petition to revive – unintentional
1501	2501	1400 700	Utility issue fee (or reissue)
1502	2502	800 400	Design issue fee
1503	2503	1100 550	Plant issue fee
1460	1460	130 130	Petitions to the Commissioner
1807	1807	50 50	Processing fee under 37 CFR 1.17 (q)
1806	1806	180 180	Submission of Information Disclosure Stmt
8021	8021	40 40	Recording each patent assignment per property (times number of properties)
1809	2809	790 395	Filing a submission after final rejection (37 CFR § 1.129(a))
1810	2810	790 395	For each additional invention to be examined (37 CFR § 1.129(b))
1801	2801	790 395	Request for Continued Examination (RCE)
1802	1802	900 900	Request for expedited examination of a design application
Other fee (specify) _____			
*Reduced by Basic Filing Fee Paid			
<b>SUBTOTAL (3)</b>		<b>(\\$) 0</b>	

**SUBMITTED BY**

Name (Print/Type)	Christopher A. Eusebi	Registration No. (Attorney/Agent)	44,672	Telephone	248-641-1600
Signature				Date	May 17, 2005



PATENT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Application No.: 10/619,233

Filing Date: July 14, 2003

Applicant: Daniel R. Smith

Group Art Unit: 2855

Examiner: Octavia Davis

Title: BLIND FASTENER SETTING TOOL

Attorney Docket: 0275G-000763 (formerly 0275V-000763)

---

Mail Stop Amendment

Director of The United States Patent and Trademark Office

P.O. Box 1450

Alexandria, Virginia 22313-1450

**AMENDMENT**

Sir:

In response to the Office Action mailed February 17, 2005, please amend the application as follows and consider the remarks set forth below.

**Amendments to the Claims** begin on page 2 of this paper.

**Remarks** begin on page 5 of this paper.